



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 570

Hearing Date: February 14, 2001

Committees On: Appropriations and Health and Human Services

Introducers: (Jensen, Bromm, Byars, Maxwell, Price, Robak, Suttle)

Title: Change provisions of the Nebraska Health Care Funding Act

Roll Call Vote – Final Committee Action:

Advanced to General File

Advanced to General File with Amendments

X Indefinitely Postponed

Vote Results:

16	Yes	Senator Jensen, Wehrbein, Byars, Pederson, Beutler, Cudaback, Engel, Hilgert, Suttle, Thompson, Price, Kruse, Foley, Cunningham, Maxwell and Erdman
	No	
	Present, not voting	
	Absent	

Proponents:

Senator Jim Jensen
Dr. Ted DeLaet
Jill Rubottom
Denis McCarville
Susan Boust
Krynn Buckley
Kathy Moore
Aleisa McKinclay
Roger Keetle
Judy Halstead
Mary O'Hare

Sherry Andrews
Genene Didier
Doris Lassiter
David Holmquist

Representing:

Introducer
Nebraska Psychological Association
Region V
Children and Family Coalition of Nebraska
Self
Nebraska Medical Association
Voices for Children of Nebraska
Nebraska Advocacy Services
NE Association of Hospitals and Health Systems
Nebraska Respite Coalition
Governors Planning Council for Developmental Disabilities
Nebraska Brain Injury Association
Nebraska Brain Injury Association
Nebraska Minority Public Health Association
Citizens for Health NE & American Cancer Society

Opponents:

Jane Elliott

Mark Welsch

Neutral:

Rex Holsapple

Sheryl Scherepf

Topher Hanson

Terry Workman

Carol Boye

Pat Lopez

Sheila Bjerrum

Chuck Stepaneck

Kenneth Winston

Representing:

Nebraska Health Care Association & Nebraska
Assisted Living Association
G.A.S.P.

Representing:

State Investment Officer

Nebraska Behavioral Health Coalition

Nebraska Association of Behavioral Health
Organizations

AARP

Community Alliance

Nebraskans for Public Health

Nebraskans for Public Health

Nebraska Nurses Association

Association of Nebraska Community Action
Agencies

Summary of purpose and/or changes: The bill makes several technical and substantive changes to the Nebraska Health Care Funding Act (sections 71-7605 to 71-7614).

Section 1 deletes a duty of the Nursing Home Advisory Council in section 71-6050 relating to nursing facility conversion grants, to harmonize the outright repeal of section 71-7613 in the amendment.

Section 2 references the addition of new sections to the act.

Section 3 amends section 71-7606 relating to the purpose of the Nebraska Health Care Funding Act. The section deletes the current income-only restriction on the use of funds under the act and provides that funds under the act must be used for health care related expenditures. The amendment outright repeals section 71-7606.01 (definition of investment income).

Sections 4 and 5 of the bill delete income-only language relating to the transfer of funds from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust Fund.

Section 6 amends section 71-7609 relating to grants and loan guarantees for the conversion of nursing facilities to assisted living facilities or other alternatives to traditional nursing facility care, to harmonize the outright repeal of section 71-7613 in the amendment. The conversion program is terminated on January 1, 2003. Money in the Nursing Facility Conversion Cash Fund on that date is transferred to the Nebraska Health Care Fund (formerly named the Nebraska Health Care Cash Fund).

Section 8 amends sections 71-7611 to require the State Treasurer to transfer up to fifty million dollars annually from the Nebraska Medicaid Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska Health Care Fund. The state investment officer will determine the amounts to be transferred from the Medicaid and tobacco settlement funds to the Nebraska Health Care Fund, and is required to report on or before October 1 of every even-numbered year to the Legislature on the sustainability of such transfers. The Nebraska Health Care Fund is distributed as follows: 10% up to \$5 million to the Nebraska Health Care Council Grant Fund for grants awarded by the Nebraska Health Care Council under the act, 40% to the Nebraska Behavioral Health and developmental Disability Fund, 20% to the

Nebraska Public Health Fund, and 30% to the Nebraska Legislative Health and Human Services Fund.

Sections 9 through 11 of the bill make technical changes to section 76-7614 relating to the awarding of grants from the Nebraska Health Care Council under the act and reorganize the section into three separate sections.

Section 12 creates the Nebraska Health Care Council Grant Fund to be used for grants awarded by the Nebraska Health Care Council under section 71-7614. Any funds appropriated or distributed under the section may not be considered ongoing entitlements or obligations on the part of the State of Nebraska.

Section 13 creates the Nebraska Behavioral Health and Developmental Disability Fund, for expenditures related to the provision of services to person with mental illness, substance abuse or addiction disorders, develop[mental disabilities, and acquired or traumatic brain injury. Any funds appropriated or distributed under the section may not be considered ongoing entitlements or obligations on the part of the State of Nebraska. Any appropriation from the fund to the Departments of Health and Human Services (HHS), HHS Finance and Support or HHS Regulation and Licensure may be offset by an equal or lessor reduction in General Fund appropriations to such department.

Section 14 creates the Nebraska Public Health Fund for public health services and statewide public health infrastructure development in Nebraska. Any funds appropriated or distributed under the section may not be considered ongoing entitlements or obligations on the part of the State of Nebraska. Any appropriation from the fund to the Departments of Health and Human Services (HHS), HHS Finance and Support or HHS Regulation and Licensure may be offset by an equal or lessor reduction in General Fund appropriations to such department. Section 15 creates the Nebraska Legislative Health and Human Services Fund for health related expenditures. The Health and Human Services Committee is required to direct an evaluation and planning study relating to the delivery of publicly funded health and human services in the state. The chairperson of the committee is required to submit a plan for the study on or before September 1, 2001, and the study must be completed and a report issued to the Legislature and the Governor on or before January 1, 2003.

Section 16 of the bill transfers section 71-5714 (the Tobacco Prevention and Control Fund) to the Health Care Funding Act.

The bill contains the emergency clause.

Explanation of amendments, if any:

Senator Roger R. Wehrbein, Chairperson

Senator Jim Jensen, Chairperson